



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
-----------------	-------------	----------------------	---------------------

09/369,090 08/05/99 IINO

A S004-3747

MMC2/0131

BRUCE L ADAMS
ADAMS & WILKS
50 BROADWAY
31ST FLOOR
NEW YORK NY 10004

EXAMINER

BUDD, M

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 01/31/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No. 369090	Applicant(s) I; no
Examiner M. Budd	Group Art Unit 2834

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

Period for Response

A SHORTENED STATUTORY PERIOD FOR RESPONSE IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a response be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for response specified above is less than thirty (30) days, a response within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for response is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to respond within the set or extended period for response will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

Status

- ☒ Responsive to communication(s) filed on 12-4-00.
- ☒ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-21 is/are pending in the application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-21 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119 (a)-(d)

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been received.
- ☐ received in Application No. (Series Code/Serial Number) _____.
- ☐ received in this national stage application from the International Bureau (PCT Rule 1.7.2(a)).

*Certified copies not received: _____.

Attachment(s)

- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____
- ☒ Notice of References Cited, PTO-892
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Office Action Summary

Art Unit: 2834

Claims 1, 3, 8 and 9 are rejected under 35 U.S.C. 102(a) as being clearly anticipated by Takagi (360).

Claim 2 rejected under 35 U.S.C. 102(a) as being anticipated by Kutsuma, Hirano or Mukohhima. Note #106, #107 of Hirano, #6 and #7 of Mukohjima and #3, #4 of Katsuma.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takagi (360). Takagi teaches the claimed ultrasonic motor structure except the support #30 is not an integral part of the substrate #50. However, making parts integral or separable has long been held to be within the skill expected of the routineer. Thus, to make the support and substrate from a simple piece would have been obvious to one of ordinary skill in the art.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Miyazawa, Kastuma or Hirano in view of Wada, Kumasaka (179) or Kumasaka (909). Miyazawa, Katsuma and Hirano teach the ultrasonic motor mounted on a printed circuit board but don't expectedly teach that drive circuit elements are provided on the board. However, Wada and Kumasaka teach it is well known to place the drive circuit for a piezoelectric device on the same circuit board that supports the device to save space and make solid state manufacturing and connections more easy. Thus for at least these reasons it would have been obvious to one of ordinary skill in the art that the printed circuit boards of Miyazawa, Katsuma or Huano could be expanded to include drive circuit elements.

Claims 10-13 and 17-21 are rejected under 35 U.S.C. 102 as unpatentable over Toda, Vishnersky (580), Kumada or Vishnevsky (073).

Art Unit: 2834

Claims 14 and 15 are rejected under 35 U.S.C. 103 as unpatentable over Vishnersky (073) or Toda. As noted above. Making parts integral or separable is within the skill expected of the routineer.

Claim 16 is rejected under 35 U.S.C. 103 as unpatentable over Vishnersky (073) or Toda in view of Wada, Kumasaka (179) or Kumasaka (909). Vishnersky (073) and Toda teach the vibration motor but not mounted on a PCB. For the reasons given in regard to claim 7, it would have been obvious to one of ordinary skill in the art to provide Vishnersky or Toda with a PCB substrate.

In regard to claims 1-10, it is noted that applicant has not point out why the references don't anticipated or render the claimed structures obvious.

Due to the great numbers of amendments preferred for the specification, applicant is requested to provide a substitute specification.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

Serial Number: 09/369,090

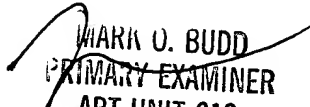
Page 4

Art Unit: 2834

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Budd/ds

01/24/01


MARK O. BUDD
PRIMARY EXAMINER
ART UNIT 212